

REMARKS

Claims 1-24 are pending. By this Amendment, claims 1 and 15 are amended, and claim 24 is added. Reconsideration of the rejections is respectfully requested in view of the remarks below.

Two Information Disclosure Statements have been filed in this application, including three sheets of Form PTO 1449. It is requested that the references cited in these statements be considered and such consideration be acknowledged by a return of initialed copies of the forms.

In the Office Action, claim 15 is rejected under 35 U.S. C. §102(b) as being anticipated by Companionony. It is presumed that the rejection is based on Companionony, U.S. Patent 5,157,862. The Office Action states that Companionony shows a container 90 and upstanding walls with a leader holding structure 64, which are magnets adhesively attached to the inside surface 94 of the cover portion 91 of the tackle box 90. The Office Action further states that at least one hanger 10 is formed as an elongate member having at least two flexible support members 20, 20 as shown in Fig. 4. This is not understood as Companionony states in col. 3, lines 3-5, that the book-type fishing leader holder 12 includes two back panels 20. The panels 20 are not flexible – in fact they have a ferrous metal plate 63 attached to the rear surface that attaches to the magnet 64 on the inside surface 94 of the cover portion 91.

In distinction, claim 15 recites a container with an interior storage space and upstanding walls with the walls having a leader holding structure. In Companionony, the holding structure, which is identified in the Office Action as magnets 64, is located on the inside surface of the cover – not on upstanding walls. Claim 15 also recites at least one leader hanger formed as an elongated member having at least two flexible support members thereon. Companionony's panels 20 are not flexible and, moreover, are not

retained in the leader holding structure in upstanding walls. As each and every feature of claim 15 is not disclosed by Companiony, there can be no anticipation under §102(b). The rejection must be withdrawn. Claim 15 is allowable.

Claims 1-12, 14, 16, 17, 21, 22, and 23 are rejected under 35 U.S.C. §103(a) as being unpatentable over Companiony as applied to claim 15 and further in view of Bruce, U.S. Patent 4,936,044. Bruce is directed to a lure storage container that has slots 32 formed between vertical members 40 that are affixed to the inner surface of the side walls 24 and 26. Panels 14 are slidably retained in the slots 32. The panels 14 have horizontal slots 50 that hold slidable lure receiving members 16. The slots 50 are made of a formed bar that is fixed to the panel 14 or formed with the panel 14.

The Office Action asserts that it would have been obvious to provide Companiony with slots in the side walls as shown by Bruce since merely one set of attachment means is being substituted for another and the function is the same. It is also asserted that it would have been obvious to make the leader hanger from molded plastic for ease of manufacturing, lightweight [sic], and corrosion resistance.

Claim 1 recites a container with an interior storage space and a pair of upstanding walls with slots formed therein and at least one leader hanger removably supported in the slots in the container. Claim 1 further recites that the leader hanger is formed as an elongated member having a plurality of integral leader support members thereon that extend from the longitudinal wall portions at fixed, spaced longitudinal locations. In contrast, Bruce's leader hanger has separate movable lure receiving members 16 that slide along horizontal slots 50. Bruce's leader hanger does not have integral leader support members that extend from the longitudinal wall portions as fixed spaced longitudinal locations. Thus, the features of claim 1 are not met. Claim 1 is allowable.

Moreover, there is simply no suggestion in the applied prior art for replacing magnets in a cover, as in Companiony, with slots in an upstanding wall, as in Bruce, absent hindsight. To make a prima facie case of obviousness, the prior art must provide the motivation for the proposed modification. Such a suggestion is not present and therefore the combination is not proper. Nevertheless, the combination lacks features of claim 1 as explained above.

The dependent claims are allowable for at least the above reasons and for the additional features recited therein. Claim 3 recites that each of the integral leader support members has a pair of arcuate edges formed therein. Claim 4 recites that the elongated member is flexible, which is not shown by either Companiony or Bruce. Claims 8 and 21 recite that there is a pivotally mounted tray, which is not shown by Companiony as all that is shown is the book like panels 20 being opened in Fig. 7. Claims 10 and 22 recite that the partition walls are removable, which is not *inherently* shown by Bruce since the vertical members 40 are affixed to the side walls. Claims 11 and 23 recite that the slots are formed in the removable walls. None of these features are shown by the asserted combination of Companiony and Bruce.

Claims 4 and 18-20 are rejected as being unpatentable over Companiony in view of Bruce and further in view of Borell, U.S. Patent 3,213,564. The Office Action states that it would have been obvious to provide the tackle box and leader holder of Companiony as modified by Bruce with a flexible leader holder as shown by Borell since merely one equivalent leader holder is being substituted for another and the function is the same. However, as neither Companiony nor Bruce suggest the use of flexible holders and Borell does not suggest that rigid holders retained in containers could be substituted for flexible holders, the prior art is silent as to motivation to make such a substitution. A prima facie case has not been made. Further, Borell does not disclose leader support members

disposed at spaced longitudinal locations as recited in claim 1, from which claim 4 depends. Borell also does not disclose flexible support members disposed along a length of an elongated side portion as recited in claim 18 or arcuate recesses as recited in claim 19. Borell does not remedy the deficiencies of Companiony and Bruce. Claims 4 and 18-20 are not rendered obvious by the asserted combination and are allowable.

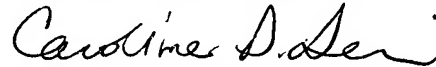
Claim 13 is rejected as being unpatentable over Campaniony in view of Bruce and further in view of Richards, U.S. Patent 4,782,619. The Office Action states that it would have been obvious to provide the storage assembly of Campaniony as modified by Bruce with arms forming fingers 48 to hook into slots 50 as shown by Richards since merely one mechanically equivalent mounting system is being substituted for another and the function is the same. However, elements 48 are stops and elements 50 are recesses for a drawer. These are not fingers on an arm of a leader hanger formed as an elongated member with a plurality of leader support member thereon at spaced longitudinal locations. It is unclear how this reference even applies to claim 13. In any event, Richards does not remedy the deficiencies of the rejection based on Campaniony and Bruce discussed above. Claim 13 is allowable.

New claim 24 is directed to fishing leader storage assembly with a combination of previously claimed features. This combination of features is not disclosed or even suggested in the prior art. Claim 24 is allowable.

It is respectfully submitted that the application is in condition for allowance.
Should further issues require resolution prior to allowance, the Examiner is requested to telephone the undersigned. Should any fees be required for entry of this Amendment, the Commissioner is hereby authorized to charge deposit account 03-3975.

Respectfully submitted,

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